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United States Senate

WASHINGTON, DC 20510-3205

September 30, 2010

Mr. Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Genachowski,

I write to request that that the Federal Communications Commission work with cellular service providers to put an end to international roaming charges faced by residents along the New York-Canadian border. For too long, New York residents along the Canadian border have experienced roaming charges because their cell signal bounces to Canadian towers that have higher signal strength. Although most cellular service providers remove these charges upon the customer's request, this situation presents an unfair burden to New York border residents and can sometimes result in remaining charges.

Cell phone users along the border frequently experience roaming to Canadian cell towers, particularly in more rural areas like New York's North Country region where cell signal strength may be weak because of fewer towers in more sparsely populated communities. When customers dispute these charges with cell service providers, they can often spend hours explaining to the company that the roaming charges, which can sometimes add up to over \$1,000 in a given month, are a result of bouncing to Canadian towers and not actual international phone calls. This is a major inconvenience brought about by no fault of the customer. Since cellular companies have the ability to track a customer's typical tower and position to that tower, any undue roaming charges should be automatically dealt with by the service provider and not require a user's explanation.

I look forward to working with you and your staff on this critical situation. I request that you update my office on the status of all available options, the steps needed to move this forward, and how I can assist. Please follow up with Jon Cardinal in my Washington, DC office, 202-224-7074, with additional information.

Sincerely,

Kirsten E. Gillibrand

Kirsten E. Gillibrand

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

December 16, 2010

The Honorable Kirsten E. Gillibrand
United States Senate
478 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Gillibrand:

Thank you for your letter concerning international roaming charges incurred by wireless service customers in areas along the New York-Canadian border. As you noted, mobile phone calls made by New York customers sometimes roam onto Canadian cell towers, resulting in excess billing charges.

I agree that consumers should not face the often burdensome task of correcting these routine billing errors. In response to your letter, the Commission's staff contacted several wireless service providers and requested information about their roaming practices and efforts to prevent calls from roaming onto Canadian networks. I have enclosed the results of this inquiry and instructed the Commission's staff to discuss this information directly with your staff.

The Commission has made consumer empowerment a priority and is taking affirmative steps to address wireless billing practices, including avoiding international roaming charges. On October 14, 2010, the Commission initiated its "bill shock" proceeding to examine ways that wireless service providers can assist consumers in avoiding unexpected charges on their bills. One proposal would require that carriers provide timely information to consumers about their mobile phone usage, including notification before a consumer incurs international roaming charges. Your letter clearly addresses this issue and we will include it in the record for this proceeding.

I appreciate your bringing this important matter to my attention. Please do not hesitate to contact me if you should require further assistance.

Sincerely,



Julius Genachowski

Carrier Roaming Information

- Cellular networks are designed so that a handset connects to the cell tower with the strongest signal, regardless of whether the tower belongs to a subscriber's home carrier, and regardless of whether the tower is in the United States or Canada.
- With the exception of E911 calls, a mobile service provider generally is unable to determine a caller's location, including from which side of the U.S./Canadian border a call was made.
- Generally, a carrier – or the carrier's roaming partner – is only able to ascertain the tower(s) that handled a particular call.
- In the calls at issue here, the carriers would have known only that a Canadian partner handled the call traffic.

Carrier Billing Practices

- While carriers are charged by their Canadian roaming partners for handling these calls, it appears that most carriers will remove or reduce an international roaming charge on a customer's bill depending on the circumstances.
- Some carriers, after determining that particular Canadian towers frequently carry such U.S. call traffic, will going-forward, treat calls handled by these towers as occurring on their home networks, and will not apply roaming charges for such calls.
- Generally, service providers are unable to remove the charge without discussing the matter with the customer, because they cannot determine the circumstances surrounding an individual call.

Steps Consumers Can Take

- In order to avoid international roaming charges in the future, wireless customers can take certain measures to prevent calls from roaming onto Canadian networks.
- Mobile phones have embedded preferred roaming lists (also known as mobile networks codes) that set out the priority order of a carrier's roaming partners.
- Subscribers can ensure that they have the current priority list on their handsets by performing over-the-air updates as instructed by their carriers.
- On most mobile handsets, wireless consumers are able to set their phones to a "home only" setting, which will limit phone usage to the home carrier's network.
- Caution, actions taken by subscribers to limit the ability of the phone to roam may affect call quality, including the ability to make or complete a call.